

# **EXHIBIT 2**

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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 IN RE CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION

14 Case No. C07-5944 SC  
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MDL NO. 1917

Judge: Hon. Samuel Conti

Special Master: Hon. Charles A. Legge (Ret.)

DEFENDANT HITACHI, LTD.'S  
RESPONSE TO SECOND SET OF  
REQUESTS FOR PRODUCTION OF  
DOCUMENTS FROM DIRECT  
PURCHASER PLAINTIFFS

This Document Relates To:  
DIRECT PURCHASER ACTION

21 PROPOUNDING PARTY: DIRECT PURCHASER PLAINTIFFS  
22 RESPONDING PARTIES: HITACHI, LTD.  
23 SET NUMBER: SECOND (Nos. 1-40 [sic] 6-45)

24 Defendant Hitachi, Ltd. ("Responding Party") hereby timely objects and responds to  
25 Direct Purchaser Plaintiffs' ("Plaintiffs" or "Requesting Party") Second Set of Requests for the  
26 Production of Documents ("Document Requests") served on March 12, 2010, and each document  
27 request set forth therein ("Responses"), as follows.

**GENERAL OBJECTIONS**

1           1. Responding Party's responses are based upon information and writings available  
 2 to and located by Responding Party as of the date of service of these Responses. Responding  
 3 Party has not completed its investigation of the facts relating to the Document Requests, and all of  
 4 the information supplied and documents and things produced are based only on such information  
 5 and documents that are reasonably available and specifically known to Responding Party as of the  
 6 date of service of its response.

7           2. No express, incidental or implied admissions are intended by these Responses.  
 8 The fact that Responding Party agrees to provide information in response to a particular request is  
 9 not intended and shall not be construed as an admission that Responding Party accepts or admits  
 10 the existence of any such information set forth in or assumed by such request, or that any such  
 11 information and/or document constitutes admissible evidence. The fact that Responding Party  
 12 agrees to provide information in response to a particular request is not intended and shall not be  
 13 construed as a waiver by Responding Party of any part of any objection to such request or any  
 14 part of any general objection made herein.

15          3. Responding Party reserves the right to change, amend, or supplement its objections  
 16 at a later date. If Plaintiffs assert an interpretation of any aspect of the Document Requests or any  
 17 of the requests therein that is different from that made by Responding Party, Responding Party  
 18 reserves the right to supplement its objections if such interpretations made by Plaintiffs are held  
 19 to be applicable.

20          4. Responding Party objects to the Document Requests, and each request therein, to  
 21 the extent they are vague, ambiguous, or contain terms that are insufficiently defined.

22          5. Responding Party objects to the Document Requests, and each request therein, as  
 23 overly broad, unduly burdensome, oppressive and beyond the proper scope of discovery.

24          6. If multiple, identical copies of any document are responsive to the requests herein,  
 25 only one representative copy will be produced. Producing more than one identical copy is unduly  
 26 burdensome and oppressive.

27          7. Responding Party objects to the Document Requests, and each request therein, to

1 the extent they seek documents and materials on matters not relevant to the subject matter of this  
 2 action, not admissible in evidence, and not reasonably calculated to lead to the discovery of  
 3 admissible evidence.

4       8. Responding Party objects to the Document Requests, and each request therein, to  
 5 the extent they seek to impose on it discovery obligations inconsistent with, or not authorized  
 6 under, the Federal Rules of Civil Procedure or the Federal Rules of Evidence.

7       9. Responding Party objects to the Document Requests, and to each request therein,  
 8 to the extent they seek to impose on it discovery obligations inconsistent with, or not authorized  
 9 under, the Local Rules of the United States District Court in and for the Northern District of  
 10 California (the "Local Rules").

11      10. Responding Party objects to the Document Requests, and to each request therein,  
 12 to the extent they seek to impose on it discovery obligations exceeding the scope of the  
 13 Stipulation and Order to Extend Limited Discovery Stay that the Court entered on January 5,  
 14 2010 (the "Stay Order").

15      11. Responding Party objects to the Document Requests, and each request therein, to  
 16 the extent they seek documents and information that are beyond the scope of the Sherman  
 17 Antitrust Act, 15 U.S.C. § 1.

18      12. Responding Party objects to the Document Requests, and each request therein, to  
 19 the extent they fail to describe the documents and things sought with a reasonable degree of  
 20 specificity.

21      13. Responding Party shall attempt to construe the terms and phrases used by  
 22 Plaintiffs in a way to give those terms and phrases a meaning which will result in the production  
 23 of relevant information or information designed to lead to the discovery of admissible evidence.

24      14. Responding Party objects to the Document Requests, and each request therein, to  
 25 the extent they seek the discovery of documents regarding Responding Party's sales outside of the  
 26 United States and unrelated to United States commerce, as such sales are beyond the scope of this  
 27 litigation and thereby render the Document Requests overly broad, unduly burdensome, and not  
 28 reasonably calculated to lead to the discovery of admissible evidence.

1       15. Responding Party objects to the Document Requests, and each request therein, to  
 2 the extent they seek documents, including but not limited to electronic documents, the disclosure  
 3 of which is prohibited by a law, regulation, or order of a court or other authority of a foreign  
 4 jurisdiction in which the documents are located.

5       16. Responding Party objects to the Document Requests, and each request therein, to  
 6 the extent they seek documents that are no longer active or readily accessible on Responding  
 7 Party's database but might exist in electronic archives or back-up files. Responding Party will  
 8 not rebuild these electronic archives and back-up files in order to search for documents that may  
 9 be responsive to the Document Requests. Based on the dates of the information sought, a portion  
 10 of Responding Party's potential responsive data will likely not be on active databases.

11       17. Responding Party objects to the Document Requests, and each request therein, to  
 12 the extent they seek to impose on Responding Party an obligation to investigate or discover  
 13 information or materials from third parties or sources who are equally accessible to Plaintiffs.

14       18. Responding Party objects to the Document Requests and each request therein, to  
 15 the extent they contain duplicative requests, in whole or in part. To the extent responsive  
 16 documents have previously been produced, they will not be produced again.

17       19. Responding Party objects to the Document Requests, and each request therein, to  
 18 the extent that they purport to call for Responding Party to engage in an investigation or to obtain  
 19 information and/or documents not in its personal possession, custody or control. In addition,  
 20 Responding Party objects to the extent the Document Requests require Responding Party to  
 21 respond and/or produce documents on behalf of any person or entity other than itself.

22       20. Responding Party objects to the Document Requests, and each request therein, to  
 23 the extent that they seek documents that are in the public record or which are equally accessible to  
 24 the Plaintiffs as to Responding Party.

25       21. Responding Party objects to the Document Requests, and each request therein, to  
 26 the extent that they attempt and/or purport to call for production of any information and/or  
 27 documents that are privileged, including, but not limited to, documents and materials that were  
 28 prepared in anticipation of litigation, ADR, or for trial, that reveal communications between

1 Responding Party and its legal counsel, and/or that otherwise constitute attorney-work product,  
 2 joint defense or common interest privilege, or by any other applicable doctrine or privilege, or  
 3 that are otherwise privileged or immune from discovery. Inadvertent testimony, production, or  
 4 disclosure of any such information and/or document is not intended to and shall not constitute a  
 5 waiver of any privilege or any other ground for objecting to discovery with respect to such  
 6 testimony, information, and/or document, or with respect to the subject matter thereof. Nor shall  
 7 such inadvertent production or disclosure waive Responding Party's right to object to the use of  
 8 any such testimony, information, and/or document during this action or in any other or  
 9 subsequent proceeding. Hence, Responding Party objects to each request to the extent each seeks  
 10 testimony, documents, and information that are protected by the attorney-client privilege and/or  
 11 the attorney work product doctrine.

12       22. No response herein should be deemed or construed as a representation that  
 13 Responding Party agrees with or acquiesces in the characterization of any fact, assumption or  
 14 conclusion of law contained in or implied by the Document Requests.

15       23. Responding Party objects to the Document Requests, and each request therein, to  
 16 the extent they seek information and/or documents that would disclose proprietary information,  
 17 trade secrets or other confidential research, development, or other confidential information  
 18 protected by the Uniform Trade Secrets Act, among others, any and all rights of privacy under the  
 19 United States Constitution or Article I of the Constitution of the State of California, or any other  
 20 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do  
 21 so would cause Responding Party to violate legal and/or contractual obligations to any other  
 22 persons or entities. Where applicable, Responding Party's Responses to the Document Requests  
 23 are subject to the provisions of the Stipulated Protective Order that the Court entered on June 18,  
 24 2008 (the "Protective Order"). Responding Party's Responses are hereby designated  
 25 "Confidential" in accordance with the provisions of the Protective Order.

26       24. By representing that it will or will not produce documents, Responding Party does  
 27 not represent that such documents exist.

25. Subject to and without waving any of the foregoing objections, each of which is expressly incorporated into each individual response below as if fully stated therein, Responding Party expressly reserves the following rights:

a. Any and all testimony and information provided and/or documents produced by Responding Party in response to the Document Requests are and will remain subject to all objections as to relevance, materiality, propriety, and admissibility, as well as to any and all other objections on any grounds that would require the exclusion of the testimony, information, and/or document or any portion thereof if such testimony, information, and/or document was offered in evidence, all of which objections and grounds are hereby expressly reserved and may be interposed at the time of any written discovery, deposition, or at or before any hearing, arbitration or trial in this matter:

b. The right to object on any ground whatsoever at any time to any demand for further responses to the Document Requests or any other discovery procedures involving or relating to the subject matter of the Document Requests; and

c. The right to supplement the documents produced, or otherwise to supplement, revise or explain the information contained therein in light of information gathered through further investigation and discovery.

## **OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS**

## **DEFINITION NO. 1:**

"All" should be construed to include the collective as well as the singular and shall mean "each," "any," and "every."

## **OBJECTION TO DEFINITION NO. 1:**

No objection.

## **DEFINITION NO. 2:**

“Any” shall be construed to mean “any and all.”

**OBJECTION TO DEFINITION NO. 2:**

No objection.

1      **DEFINITION NO. 3:**

2      “Communication” means without limitation, oral or written communications of any kind,  
3      such as electronic communications, e-mails, facsimiles, telephone communications,  
4      correspondence, exchange of written or recorded information, or face-to-face Meetings. The  
5      phrase “communication between” is defined to include instances where one party addresses the  
6      other party but the other party does not necessarily respond.

7      **OBJECTION TO DEFINITION NO. 3:**

8      Responding Party objects to this definition to the extent it attempts to impose obligations  
9      on Responding Party and/or seeks documents beyond those required to be produced pursuant to  
10     the Federal Rules of Civil Procedure.

11     **DEFINITION NO. 4:**

12     “Date” means the exact day, month and year, if ascertainable, or the best available  
13     approximation, including any relationship to other known events (designate whether exact or  
14     approximate).

15     **OBJECTION TO DEFINITION NO. 4:**

16     No objection.

17     **DEFINITION NO. 5:**

18     “Defendant” means any company, organization, entity or person presently or subsequently  
19     named as a defendant in this litigation.

20     **OBJECTION TO DEFINITION NO. 5:**

21     Responding Party objects to this definition to the extent it attempts to impose obligations  
22     on Responding Party and/or seeks documents beyond those required to be produced pursuant to  
23     the Federal Rules of Civil Procedure.

24     Responding Party objects to this definition on the ground it calls for a legal conclusion.

25     Responding Party objects to this definition as vague, ambiguous, unintelligible, overly  
26     broad to the extent it seeks documents and information that are not relevant to the subject matter  
27     of this action, not admissible in evidence, not reasonably calculated to lead to the discovery of  
28     admissible evidence, and unduly burdensome to search for and produce.

1            Responding Party objects to this definition to the extent it seeks information and  
 2 documents that would disclose Responding Party's or a third party's respective trade secrets or  
 3 other confidential research, development, or confidential information protected by the Uniform  
 4 Trade Secrets Act, any and all rights of privacy under the United States Constitution or Article  
 5 One of the Constitution of the State of California, or any other applicable state constitution or  
 6 law, or which is otherwise prohibited from disclosure because to do so would cause Responding  
 7 Party to violate legal or contractual obligations to any other persons or entities. Where it may be  
 8 appropriate to do so and with adequate protections and limitations, Responding Party expressly  
 9 reserves the right to provide such documents an/or information only pursuant to the Protective  
 10 Order in this action.

11            Responding Party objects to this definition to the extent that it attempts or purports to call  
 12 for the production of any information and/or documents that are privileged, that were prepared in  
 13 anticipation of litigation or trial, that reveal communications between Responding Party and its  
 14 legal counsel, that otherwise constitute attorney work product, are subject to the joint defense or  
 15 common interest privilege, or that are otherwise privileged or immune from discovery.

16            Responding Party objects to this definition to the extent it is intended to include persons  
 17 or entities other than Responding Party. To the extent and in the context a request uses the term  
 18 "Defendant," Responding Party understands that the request and its obligations only extend to  
 19 information and/or documents within Responding Party's possession, custody or control.

20            Responding Party objects to this definition to the extent that it calls for documents or  
 21 information beyond Responding Party's knowledge. In addition, Responding Party objects to this  
 22 definition to the extent that it requires Responding Party to respond and/or produce documents or  
 23 information on behalf of any person or entity other than itself.

24            Responding Party will respond on behalf of Hitachi, Ltd. only.

25 **DEFINITION NO. 6:**

26            "Document" means without limitation, the original and all non-identical copies of all  
 27 items subject to discovery under Rule 34 of the Federal Rules of Civil Procedure. This definition  
 28 includes, without limitation, letters, correspondence, memoranda, legal pleadings, calendars,

1 diaries, travel records, summaries, records of telephone conversations, telegrams, notes, reports,  
 2 compilations, notebooks, work papers, graphs, charts, blueprints, books, pamphlets, brochures,  
 3 circulars, manuals, instructions, ledgers, drawings, sketches, photographs, videotapes, audiotapes,  
 4 film and sound reproductions, e-mails, internal or external web sites, compact discs, computer  
 5 files and disks, sales, advertising and promotional literature, agreements, stored recordings,  
 6 minutes or other records of meetings, all written or graphic records or representations of any kind,  
 7 and all mechanical or electronic data, records or representations of any kind.

8 **OBJECTION TO DEFINITION NO. 6:**

9 Responding Party objects to this definition to the extent that it seeks to expand the scope  
 10 of Rule 34 of the Federal Rules of Civil Procedure.

11 Responding Party also objects to this definition as overly broad to the extent it seeks  
 12 documents and/or information that are not relevant to the subject matter of this action, not  
 13 admissible in evidence, not reasonably calculated to lead to the discovery of admissible evidence,  
 14 and unduly burdensome to search for and produce.

15 **DEFINITION NO. 7:**

16 “Electronic data” includes, without limitation, the following:

17       a. activity listings of electronic mail receipts and/or transmittals;  
 18       b. output resulting from the use of any software program, including, without  
 19 limitation, word processing documents, spreadsheets, database files, charts, graphs and outlines,  
 20 electronic mail, AOL Instant Messenger™ (or similar program) or bulletin board programs,  
 21 operating systems, source code, PRF files, PRC files, batch files, ASCII files, and all  
 22 miscellaneous media on which they reside and regardless of whether said electronic data exists in an  
 23 active file, a deleted file, or file fragment;

24       c. any and all items stored on computer memories, hard disks, floppy disks,  
 25 CD-ROM, magnetic tape, microfiche, or in any other vehicle for digital data storage and/or  
 26 transmittal, such as, but not limited to, a personal digital assistant, *e.g.*, Palm Pilot, R.I.M.,  
 27 Blackberry, or similar device, and file folder tabs, and/or containers and labels appended to, or  
 28 relating to, any physical storage device associated with each original and/or copy of all

1 documents requested herein.

2 **OBJECTION TO DEFINITION NO. 7:**

3 Responding Party objects to this definition to the extent it attempts to impose obligations  
4 on Responding Party and/or seeks documents beyond those required to be produced pursuant to  
5 the Federal Rules of Civil Procedure.

6 Responding Party also objects to this definition as overly broad to the extent it seeks  
7 documents and/or information that are not relevant to the subject matter of this action, not  
8 admissible in evidence, not reasonably calculated to lead to the discovery of admissible evidence,  
9 and unduly burdensome to search for and produce.

10 Responding Party objects to this definition to the extent it seeks documents that are no  
11 longer active or readily accessible on Responding Party's database but might exist in electronic  
12 archives or back-up files. Responding Party will not rebuild these electronic archives and back-  
13 up files in order to search for documents that may be responsive to the Document Requests.  
14 Based on the dates of the information sought, a portion of Responding Party's potential  
15 responsive data will likely not be on active databases.

16 **DEFINITION NO. 8:**

17 "Employee" means, without limitation, any current or former officer, director, executive,  
18 manager, secretary, staff member, messenger, agent or other person who is or was employed by a  
19 defendant.

20 **OBJECTION TO DEFINITION NO. 8:**

21 Responding Party objects to this definition to the extent it attempts to impose obligations  
22 on Responding Party and/or seeks documents beyond those required to be produced pursuant to  
23 the Federal Rules of Civil Procedure.

24 Responding Party objects to this definition on the ground it calls for a legal conclusion.

25 Responding Party objects to this definition as vague, ambiguous, unintelligible, overly  
26 broad to the extent it seeks documents and information that are not relevant to the subject matter  
27 of this action, not admissible in evidence, not reasonably calculated to lead to the discovery of  
28 admissible evidence, and unduly burdensome to search for and produce.

1            Responding Party objects to this definition to the extent it seeks information and  
 2 documents that would disclose Responding Party's or a third party's respective trade secrets or  
 3 other confidential research, development, or confidential information protected by the Uniform  
 4 Trade Secrets Act, any and all rights of privacy under the United States Constitution or Article  
 5 One of the Constitution of the State of California, or any other applicable state constitution or  
 6 law, or which is otherwise prohibited from disclosure because to do so would cause Responding  
 7 Party to violate legal or contractual obligations to any other persons or entities. Where it may be  
 8 appropriate to do so and with adequate protections and limitations, Responding Party expressly  
 9 reserves the right to provide such information and/or documents only pursuant to the Protective  
 10 Order in this action.

11            Responding Party objects to this definition to the extent that it attempts or purports to call  
 12 for the production of any documents and/or information that are privileged, that were prepared in  
 13 anticipation of litigation or trial, that reveal communications between Responding Party and its  
 14 legal counsel, that otherwise constitute attorney work product, or that are otherwise privileged or  
 15 immune from discovery.

16            Responding Party objects to this definition to the extent it is intended to include persons  
 17 or entities other than Responding Party. To the extent and in the context a request uses the term  
 18 "Defendant," Responding Party understands that the request and its obligations only extend to  
 19 documents and/or information within Responding Party's possession, custody or control.

20            Responding Party objects to this definition to the extent that it calls for documents and/or  
 21 information beyond Responding Party's knowledge. In addition, Responding Party objects to this  
 22 definition to the extent that it requires Responding Party to respond and/or produce documents  
 23 and/or information on behalf of any person or entity other than itself.

24            Responding Party will respond on behalf of Hitachi, Ltd. only.

25 **DEFINITION NO. 9:**

26            "Including" is used to emphasize certain types of documents requested and should not be  
 27 construed as limiting the request in any way.

1       **OBJECTION TO DEFINITION NO. 9:**

2              No objection.

3       **DEFINITION NO. 10:**

4              “Meeting” means, without limitation, any assembly, convocation, encounter, or  
5              contemporaneous presence of two or more persons for any purpose, whether planned or arranged,  
6              scheduled or not.

7       **OBJECTION TO DEFINITION NO. 10:**

8              No objection.

9       **DEFINITION NO. 11:**

10             “Or” and “and” should be construed so as to require the broadest possible response. If, for  
11             example, a request calls for information about “A or B” or “A and B,” you should produce all  
12             information about A and all information about B, as well as all information about A and B  
13             collectively. In other words, “or” and “and” should be read as “and/or.”

14       **OBJECTION TO DEFINITION NO. 11:**

15              No objection.

16       **DEFINITION NO. 12:**

17             “Person” means, without limitation, any natural person, corporation, partnership, limited  
18             liability company, proprietorship, joint venture, association, government entity, group or other  
19             form of legal entity.

20       **OBJECTION TO DEFINITION NO. 12:**

21             Responding Party objects to this definition to the extent it attempts to impose obligations  
22             on Responding Party and/or seeks documents beyond those required to be produced pursuant to  
23             the Federal Rules of Civil Procedure.

24             Responding Party objects to this definition on the ground it calls for a legal conclusion.

25             Responding Party objects to this definition as vague, ambiguous, unintelligible, overly  
26             broad to the extent it seeks documents and information that are not relevant to the subject matter  
27             of this action, not admissible in evidence, not reasonably calculated to lead to the discovery of  
28             admissible evidence, and unduly burdensome to search for and produce.

1           Responding Party objects to this definition to the extent it seeks information and  
 2 documents that would disclose Responding Party's or a third party's respective trade secrets or  
 3 other confidential research, development, or confidential information protected by the Uniform  
 4 Trade Secrets Act, any and all rights of privacy under the United States Constitution or Article  
 5 One of the Constitution of the State of California, or any other applicable state constitution or  
 6 law, or which is otherwise prohibited from disclosure because to do so would cause Responding  
 7 Party to violate legal or contractual obligations to any other persons or entities. Where it may be  
 8 appropriate to do so and with adequate protections and limitations, Responding Party expressly  
 9 reserves the right to provide such information and/or documents only pursuant to the Protective  
 10 Order in this action.

11           Responding Party objects to this definition to the extent that it attempts or purports to call  
 12 for the production of any documents and/or information that are privileged, that were prepared in  
 13 anticipation of litigation or trial, that reveal communications between Responding Party and its  
 14 legal counsel, that otherwise constitute attorney work product, or that are otherwise privileged or  
 15 immune from discovery.

16           Responding Party objects to this definition to the extent it is intended to include persons  
 17 or entities other than Responding Party. To the extent and in the context a request uses the term  
 18 "Person," Responding Party understands that the request and its obligations only extend to  
 19 documents and/or information within Responding Party's possession, custody or control.

20           Responding Party objects to this definition to the extent that it calls for documents and/or  
 21 information beyond Responding Party's knowledge. In addition, Responding Party objects to this  
 22 definition to the extent that it requires Responding Party to respond and/or produce document  
 23 and/or information on behalf of any person or entity other than itself.

24           Responding Party will respond on behalf of Hitachi, Ltd. only.

25 **DEFINITION NO. 13:**

26           "Relating to," "referring to," "regarding," or "with respect to" mean, without limitation,  
 27 the following concepts: discussing, describing, reflecting, dealing with, pertaining to, analyzing,  
 28 evaluating, estimating, constituting, studying, surveying, projecting, assessing, recording,

1 summarizing, criticizing, reporting, commenting, or otherwise involving, in whole or in part.

2 **OBJECTION TO DEFINITION NO. 13:**

3 Responding Party objects to this definition to the extent it attempts to impose obligations  
 4 on Responding Party and/or seeks documents, beyond those required to be produced pursuant to  
 5 the Federal Rules of Civil Procedure.

6 Responding Party objects to the expressions "relating to," "referring to," "regarding," or  
 7 "with respect to" to the extent they mean more than comprising, or on its face discusses, pertains  
 8 to or is connected with a well-defined, unambiguous and identifiable topic or subject matter.

9 Responding Party objects to this definition because responding to such overly broad,  
 10 vague and ambiguous requests would be unduly burdensome and oppressive.

11 **DEFINITION NO. 14:**

12 "CRT" means cathode ray tube(s) and "CRT products" means products containing  
 13 cathode ray tubes.

14 **OBJECTION TO DEFINITION NO. 14:**

15 Responding Party objects to this definition to the extent it attempts to impose obligations  
 16 on Responding Party and/or seeks documents beyond those required to be produced pursuant to  
 17 the Federal Rules of Civil Procedure.

18 Responding Party objects to this definition on the ground the term "CRT Products" is  
 19 vague, ambiguous, unintelligible, and overly broad to the extent it seeks documents and  
 20 information that are not relevant to the subject matter of this action, not admissible in evidence,  
 21 not reasonably calculated to lead to the discovery of admissible evidence, and unduly burdensome  
 22 to search for and produce. Moreover, any discovery as to "CRT Products" that is not reasonably  
 23 related to Plaintiffs' claims with respect to an alleged conspiracy involving CRTs is premature  
 24 and overly burdensome until such time as Plaintiffs establish a reasonable basis for their claims  
 25 regarding "CRT Products" to justify the enormous burden that Plaintiffs seek to impose on  
 26 Responding Party by pursuing discovery as to all such products.

27 **DEFINITION NO. 15:**

28 "You," "Your," or "Your company" mean the responding Defendant, its predecessors,

1 successors, subsidiaries, departments, divisions, and/or affiliates, including without limitation any  
 2 organization or entity which the responding Defendant manages or controls, together with all  
 3 present and former directors, officers, Employees, agents, representatives or any persons acting or  
 4 purporting to act on behalf of the responding defendant.

5 **OBJECTION TO DEFINITION NO. 15:**

6 Responding Party objects to this definition to the extent it attempts to impose obligations  
 7 on Responding Party and/or seeks documents beyond those required to be produced pursuant to  
 8 the Federal Rules of Civil Procedure.

9 Responding Party objects to this definition on the ground it calls for a legal conclusion.

10 Responding Party objects to this definition as vague, ambiguous, unintelligible, overly  
 11 broad to the extent it seeks documents and information that are not relevant to the subject matter  
 12 of this action, not admissible in evidence, not reasonably calculated to lead to the discovery of  
 13 admissible evidence, and unduly burdensome to search for and produce.

14 Responding Party objects to this definition to the extent it seeks documents and  
 15 information that would disclose Responding Party's or a third party's respective trade secrets or  
 16 other confidential research, development, or confidential information protected by the Uniform  
 17 Trade Secrets Act, any and all rights of privacy under the United States Constitution or Article  
 18 One of the Constitution of the State of California, or any other applicable state constitution or  
 19 law, or which is otherwise prohibited from disclosure because to do so would cause Responding  
 20 Party to violate legal or contractual obligations to any other persons or entities. Where it may be  
 21 appropriate to do so and with adequate protections and limitations, Responding Party expressly  
 22 reserves the right to provide such information and/or documents only pursuant to the Protective  
 23 Order in this action.

24 Responding Party objects to this definition to the extent that it attempts or purports to call  
 25 for the production of any documents and/or information that are privileged, that were prepared in  
 26 anticipation of litigation or trial, that reveal communications between Responding Party and its  
 27 legal counsel, that otherwise constitute attorney work product, are subject to the joint defense or  
 28 common interest privilege, or that are otherwise privileged or immune from discovery.

1            Responding Party objects to this definition to the extent it is intended to include persons  
 2 or entities other than Responding Party. To the extent and in the context a request uses the term  
 3 "You," "Your," or "Your Company," Responding Party understands that the request and its  
 4 obligations only extend to documents and/or information within Responding Party's possession,  
 5 custody or control.

6            Responding Party objects to this definition to the extent that it calls for documents and/or  
 7 information beyond Responding Party's knowledge. In addition, Responding Party objects to this  
 8 definition to the extent that it requires Responding Party to respond and/or produce documents  
 9 and/or information on behalf of any person or entity other than itself.

10          Responding Party will respond on behalf of Hitachi, Ltd. only.

11          **INSTRUCTION NO. 1:**

12          Unless otherwise noted, the Relevant Time Period for these document requests is January  
 13 1, 1995 through the present (the "Relevant Time Period"). These Document requests seek all  
 14 responsive Documents created or generated during the Relevant Time Period, as well as  
 15 responsive Documents created or generated outside the Relevant Time Period, but which contain  
 16 information concerning the Relevant Time Period.

17          **OBJECTION TO INSTRUCTION NO. 1:**

18          Responding Party objects to this instruction on the grounds it is vague, ambiguous,  
 19 unintelligible, over broad and seeks information or materials on matters not relevant to the subject  
 20 matter of this action, not admissible in evidence, and not reasonably calculated to lead to the  
 21 discovery of admissible evidence.

22          The "Relevant Time Period" as defined in this instruction exceeds the putative class  
 23 period, which begins on January 1, 1995 and ends on November 25, 2007 (Direct Purchaser  
 24 Plaintiffs' Consolidated Amended Complaint ¶ 1), and seeks documents and information beyond  
 25 the statute of limitations. Judge Conti has directed the parties to Judge Legge to develop  
 26 procedures for the early resolution of statute of limitations issues and to reduce the burden in  
 27 connection therewith. Responding Party believes it is premature for it to have to produce any  
 28 documents from prior to the statute of limitations period until Judge Legge considers this issue

1 and determines the proper scope of that burden.

2 For purposes of responding to these Document Requests, Responding Party will interpret  
3 "Relevant Time Period" to mean November 26, 2003 through November 25, 2007 (the  
4 "Limitations Period").

5 **INSTRUCTION NO. 2:**

6 To the extent Documents responsive to any of these Document requests have already been  
7 produced to plaintiffs, there is no need to produce those Documents a second time. Instead,  
8 please provide the bates numbers of any responsive Documents already produced.

9 **OBJECTION TO INSTRUCTION NO. 2:**

10 Responding Party objects to this instruction to the extent it attempts to impose obligations  
11 on Responding Party and/or seeks documents beyond those required to be produced pursuant to  
12 the Federal Rules of Civil Procedure.

13 Responding Party objects to this instruction on the ground it is unduly burdensome and  
14 oppressive.

15 **INSTRUCTION NO. 3:**

16 Pursuant to Rule 26(e) of the Federal Rules of Civil Procedure, these Document requests  
17 are continuing in nature so that if You subsequently discover or obtain possession, custody, or  
18 control of any Document covered by these requests, You shall promptly make any such  
19 Document available to plaintiffs.

20 **OBJECTION TO INSTRUCTION NO. 3:**

21 Responding Party objects to this instruction to the extent it attempts to impose obligations  
22 on Responding Party and/or seeks documents beyond those required to be produced pursuant to  
23 the Federal Rules of Civil Procedure.

24 **INSTRUCTION NO. 4:**

25 In producing documents and other materials, you are to furnish all Documents or things in  
26 Your possession, custody or control, regardless of whether such documents or materials are  
27 possessed directly by You or Your Employees, agents, parent company(ies), subsidiaries,  
affiliates, investigators or by Your attorneys or their Employees, agents or investigators.

1           **OBJECTION TO INSTRUCTION NO. 4:**

2           Responding Party objects to this instruction to the extent it attempts to impose obligations  
 3           on Responding Party and/or seeks documents beyond those required to be produced pursuant to  
 4           the Federal Rules of Civil Procedure.

5           Responding Party objects to this instruction on the ground it calls for a legal conclusion.

6           Responding Party objects to this instruction as vague, ambiguous, unintelligible, overly  
 7           broad to the extent it seeks documents and information that are not relevant to the subject matter  
 8           of this action, not admissible in evidence, not reasonably calculated to lead to the discovery of  
 9           admissible evidence, and unduly burdensome to search for and produce.

10          Responding Party objects to this instruction to the extent it seeks documents and  
 11           information that would disclose Responding Party's or a third party's respective trade secrets or  
 12           other confidential research, development, or confidential information protected by the Uniform  
 13           Trade Secrets Act, any and all rights of privacy under the United States Constitution or Article  
 14           One of the Constitution of the State of California, or any other applicable state constitution or  
 15           law, or which is otherwise prohibited from disclosure because to do so would cause Responding  
 16           Party to violate legal or contractual obligations to any other persons or entities. Where it may be  
 17           appropriate to do so and with adequate protections and limitations, Responding Party expressly  
 18           reserves the right to provide such information and/or documents only pursuant to the Protective  
 19           Order in this action.

20          Responding Party objects to this instruction to the extent that it attempts or purports to call  
 21           for the production of any documents and/or information that are privileged, that were prepared in  
 22           anticipation of litigation or trial, that reveal communications between Responding Party and its  
 23           legal counsel, that otherwise constitute attorney work product, are subject to the joint defense or  
 24           common interest privilege, or that are otherwise privileged or immune from discovery.

25          Responding Party objects to this instruction to the extent it is intended to include persons  
 26           or entities other than Responding Party. To the extent and in the context a request uses the term  
 27           "Defendant," Responding Party understands that the request and its obligations only extend to  
 28           documents and/or information within Responding Party's possession, custody or control.

1        Responding Party objects to this instruction to the extent that it calls for documents and/or  
2 information beyond Responding Party's knowledge. In addition, Responding Party objects to this  
3 instruction to the extent that it requires Responding Party to respond and/or produce documents  
4 and/or information on behalf of any person or entity other than itself.

5        Responding Party will respond on behalf of Hitachi, Ltd. only.

6 **INSTRUCTION NO. 5:**

7        Pursuant to Rule 34(b) of the Federal Rules of Civil Procedure, all Documents shall be  
8 produced in the same order as they are kept or maintained by You in the ordinary course of Your  
9 business. All Documents shall be produced in the file folder, envelope or other container in  
10 which the Documents are kept or maintained. If for any reason the container cannot be produced,  
11 You should produce copies of all labels or other identifying marks which may be present on the  
12 container.

13 **OBJECTION TO INSTRUCTION NO. 5:**

14        Responding Party objects to this instruction to the extent it attempts to impose obligations  
15 on Responding Party and/or seeks documents beyond those required to be produced pursuant to  
16 the Federal Rules of Civil Procedure.

17 **INSTRUCTION NO. 6:**

18        Documents shall be produced in such fashion as to identify the department, branch or  
19 office in whose possession they were located and, where applicable, the natural person in whose  
20 possession they were found and the business address of each Document(s) custodian(s).

21 **OBJECTION TO INSTRUCTION NO. 6:**

22        Responding Party objects to this instruction to the extent it attempts to impose obligations  
23 on Responding Party and/or seeks documents beyond those required to be produced pursuant to  
24 the Federal Rules of Civil Procedure.

25        Responding Party objects to this instruction on the ground it is unduly burdensome and  
26 oppressive.

27 **INSTRUCTION NO. 7:**

28        Documents attached to one another should not be separated. If any portion of any

1 Document is responsive to any portion of the Document requests below, then the entire Document  
2 must be produced.

3 **OBJECTION TO INSTRUCTION NO. 7:**

4 Responding Party objects to this instruction to the extent it attempts to impose obligations  
5 on Responding Party and/or seeks documents beyond those required to be produced pursuant to  
6 the Federal Rules of Civil Procedure.

7 **INSTRUCTION NO. 8:**

8 If a Document once existed and subsequently has been lost, destroyed or is otherwise  
9 missing, You should provide sufficient information to identify the Document and state, in writing,  
10 the details, including whether the Document:

- 11 a. is lost or missing;
- 12 b. has been destroyed and, if so, by whom at whose request;
- 13 c. has been transferred or delivered, voluntarily or involuntarily, to another  
14 person or entity and at whose request; and/or
- 15 d. has been otherwise disposed of.

16 **OBJECTION TO INSTRUCTION NO. 8:**

17 Responding Party objects to this instruction to the extent it attempts to impose obligations  
18 on Responding Party and/or seeks documents beyond those required to be produced pursuant to  
19 the Federal Rules of Civil Procedure.

20 Responding Party objects on the grounds that it is impossible to identify, describe, and  
21 further explain the circumstances regarding every document that ever "once existed and  
22 subsequently has been lost, destroyed, or is otherwise missing." To the extent that it is even  
23 possible to identify, describe, and explain the circumstances regarding such documents, this  
24 investigation would impose a unique, time-consuming and unreasonable burden.

25 Responding Party objects to this instruction on the ground it is unduly burdensome and  
26 oppressive.

27 **INSTRUCTION NO. 9:**

28 In each instance in which a Document once existed and subsequently is lost, missing,

1 destroyed, or otherwise disposed of, explain the circumstances surrounding the disposition of the  
2 Document, including, but not limited to:

- 3           a.       the identity of the person or entity who last possessed the Document;  
4           b.       the date or approximate date of the Document's disposition; and  
5           c.       the identity of all Persons who have or had knowledge of the Document's  
6 contents.

7 **OBJECTION TO INSTRUCTION NO. 9:**

8           Responding Party objects to this instruction to the extent it attempts to impose obligations  
9 on Responding Party and/or seeks documents beyond those required to be produced pursuant to  
10 the Federal Rules of Civil Procedure.

11          Responding Party objects to this instruction on the ground it is unduly burdensome and  
12 oppressive.

13 **INSTRUCTION NO. 10:**

14          If any Document responsive to any of these requests is privileged, and the Document or  
15 any portion of the Document requested is withheld based on a claim of privilege pursuant to Rule  
16 26(b)(5) of the Federal Rules of Civil Procedure, provide a statement of the claim of privilege and  
17 all facts relied upon in support of that claim, including the following information:

- 18           a.       the reason for withholding the Document;  
19           b.       the date of such communication;  
20           c.       the medium of such communication;  
21           d.       the general subject matter of such communication (such description shall  
not be considered a waiver of Your claimed privilege);  
22           e.       the identity of any Document that was the subject of such communication  
and the present location of any such Document;  
23           f.       the identity of the Persons involved in such communication;  
24           g.       the identity of any Document which records, refers, or relates to such  
communication and present location of any such Document;  
25           h.       the paragraph or paragraphs of these requests for production of Documents

1 to which such information is responsive.

2 **OBJECTION TO INSTRUCTION NO. 10:**

3 Responding Party objects to this instruction to the extent it attempts to impose obligations  
4 on Responding Party and/or seeks documents beyond those required to be produced pursuant to  
5 the Federal Rules of Civil Procedure or the Federal Rules of Evidence.

6 **INSTRUCTION NO. 11:**

7 Each Document requested herein should be produced in its entirety and without deletion,  
8 redaction or excisions, except as qualified by Instruction 10 above, regardless of whether You  
9 consider the entire Document or only part of it to be relevant or responsive to these Document  
10 requests. If you have redacted any portion of a Document, stamp the word "REDACTED" beside  
11 the redacted information on each page of the Document which you have redacted. Any  
12 redactions to Documents produced should be identified in accordance with Instruction 10 above.

13 **OBJECTION TO INSTRUCTION NO. 11:**

14 Responding Party objects to this instruction to the extent it attempts to impose obligations  
15 on Responding Party and/or seeks documents beyond those required to be produced pursuant to  
16 the Federal Rules of Civil Procedure.

17 **INSTRUCTION NO. 12:**

18 All Documents produced should be Bates numbered sequentially, with a unique number  
19 on each page, and with a prefix identifying the party producing the Document.

20 **OBJECTION TO INSTRUCTION NO. 12:**

21 No objection.

22 **INSTRUCTION NO. 13:**

23 Pursuant to Federal Rule of Civil Procedure 34(b)(1 )(C), the responding party must  
24 produce any electronically stored information ("ESI") in its native format. If ESI in its native  
25 format can only be accessed by proprietary or legacy software, or is password protected, or  
26 encrypted, the responding party must meet and confer with plaintiffs' lead counsel so the  
27 receiving party shall receive all information and software necessary to access the ESI.

1           **OBJECTION TO INSTRUCTION NO. 13:**

2           Responding Party objects to this instruction to the extent it attempts to impose obligations  
 3           on Responding Party and/or seeks documents beyond those required to be produced pursuant to  
 4           the Federal Rules of Civil Procedure.

5           Responding Party objects to this instruction to the extent it seeks documents and  
 6           information that would disclose Responding Party's or a third party's respective trade secrets or  
 7           other confidential research, development, or confidential information protected by the Uniform  
 8           Trade Secrets Act, any and all rights of privacy under the United States Constitution or Article  
 9           One of the Constitution of the State of California, or any other applicable state constitution or  
 10          law, including any copyright or license, or which is otherwise prohibited from disclosure because  
 11          to do so would cause Responding Party to violate legal or contractual obligations to any other  
 12          persons or entities. Where it may be appropriate to do so and with adequate protections and  
 13          limitations, Responding Party expressly reserves the right to provide such information and/or  
 14          documents only pursuant to the Protective Order in this action.

15          Each of the foregoing General Objections and Objections to Definitions and Instructions  
 16          is incorporated into the following specific objections. Accordingly, each specific objection is  
 17          made subject to, and without waiver of, the foregoing General Objections and Objections to  
 18          Definitions and Instructions. Responding Party incorporates by reference each and every General  
 19          Objection and Objection to Definitions and Instructions into each and every specific response.  
 20          From time to time a specific response may repeat a General Objection or Object to the Definitions  
 21          and Instructions for emphasis or some other reason. The failure to repeat any General Objection  
 22          or Objection to the Definitions and Instructions in any specific response shall not be interpreted as  
 23          a waiver of any General Objection or Objection to the Definitions and Instructions to that  
 24          response.

25           **SPECIFIC RESPONSES TO DOCUMENT REQUESTS**

26           **REQUEST NO. 1 [SIC] REQUEST NO. 6:**

27          Documents sufficient to show Your corporate structure or organization throughout the  
 relevant period, including, but not limited to, departments, divisions, parents, subsidiaries, joint

1 ventures, affiliates, or other sub-units that were engaged during any part of the relevant period in  
 2 the manufacture, marketing, sale or distribution of CRT or CRT Products in the United States,  
 3 including, where applicable, the percentage of any stock or other interests owned by each entity in  
 4 the chain.

5 **RESPONSE TO REQUEST NO. 1 [SIC] REQUEST NO. 6:**

6 Responding Party reasserts and incorporates each of the General Objections and  
 7 Objections to Definitions and Instructions set forth above.

8 Responding Party objects to this request on the grounds that it is overly broad, unduly  
 9 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence  
 10 including to the extent that it seeks the discovery of documents regarding Responding Party's  
 11 sales outside of the United States and unrelated to United States commerce, as such sales are  
 12 beyond the scope of this litigation and thereby render the Document Requests overly broad,  
 13 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible  
 14 evidence.

15 Responding Party objects to this request on the grounds that it seeks production of  
 16 documents protected by the attorney-client privilege, work product doctrine, joint defense or  
 17 common interest privilege, or by any other applicable doctrine or privilege.

18 Responding Party objects to this request on the grounds it seeks information and/or  
 19 documents that would disclose confidential information protected by any and all rights of privacy  
 20 under the United States Constitution or any other applicable law, or that is otherwise prohibited  
 21 from disclosure because to do so would cause Responding Party to violate legal and/or  
 22 contractual obligations to any other persons or entities.

23 Responding Party objects to this request on the grounds that, to the extent it seeks  
 24 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and  
 25 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not  
 26 relevant to the claim or defense of any party, not relevant to the subject matter involved in this  
 27 action, and not reasonably calculated to lead to the discovery of admissible evidence.

28 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad

1 and not relevant, rendering the request not reasonably calculated to lead to the discovery of  
 2 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the  
 3 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the  
 4 statute of limitations.

5 Responding Party objects to this request on the grounds that, to the extent it seeks  
 6 documents not related to CRTs only, this request is overly broad and unduly burdensome and  
 7 purports to call for information that is not relevant to the claim or defense of any party, not  
 8 relevant to the subject matter involved in this action, and not reasonably calculated to lead to the  
 9 discovery of admissible evidence.

10 Responding Party objects to the extent this request seeks documents that are no longer  
 11 active or readily accessible in electronic form which renders this request overly broad and unduly  
 12 burdensome.

13 Responding Party objects to this request to the extent this request is duplicative of  
 14 Document Request No. 3 of Plaintiffs' First Set of Requests for Production of Documents.

15 Subject to and without waiving the general and specific objections stated above,  
 16 Responding Party responds that it will make reasonable efforts to identify documents responsive  
 17 to this request within the Limitations Period and, if any, will produce non-privileged, responsive  
 18 documents.

19 **REQUEST NO. 2 [SIC] REQUEST NO. 7:**

20 As to each of Your divisions, subdivisions, departments, units, subsidiaries, parents,  
 21 affiliates and joint ventures, Documents sufficient to identify each executive or Employee with  
 22 managerial authority who had responsibilities or duties with respect to each of the following:

- 23       (a) the manufacturing or production of CRT or CRT Products;
- 24       (b) the marketing of CRT or CRT Products;
- 25       (c) the pricing of CRT or CRT Products;
- 26       (d) the sale or distribution of CRT or CRT Products;
- 27       (e) maintaining any electronic database(s), including archives, of e-mail or other  
                   electronic Documents relating to CRT or CRT Products.

1           **RESPONSE TO REQUEST NO. 2 [SIC] REQUEST NO. 7:**

2           Responding Party reasserts and incorporates each of the General Objections and  
 3           Objections to Definitions and Instructions set forth above.

4           Responding Party objects to this request on the grounds that it is overly broad, unduly  
 5           burdensome, and not reasonably calculated to lead to the discovery of admissible evidence  
 6           including to the extent that it seeks the discovery of documents regarding Responding Party's  
 7           sales outside of the United States and unrelated to United States commerce, as such sales are  
 8           beyond the scope of this litigation and thereby render the Document Requests overly broad,  
 9           unduly burdensome, and not reasonably calculated to lead to the discovery of admissible  
 10          evidence.

11          Responding Party objects to this request on the grounds that it seeks production of  
 12          documents protected by the attorney-client privilege, work product doctrine, joint defense or  
 13          common interest privilege, or by any other applicable doctrine or privilege.

14          Responding Party objects to this request on the grounds it seeks information and/or  
 15          documents that would disclose confidential information protected by any and all rights of privacy  
 16          under the United States Constitution or any other applicable law, or that is otherwise prohibited  
 17          from disclosure because to do so would cause Responding Party to violate legal and/or  
 18          contractual obligations to any other persons or entities.

19          Responding Party objects to this request on the grounds that, to the extent it seeks  
 20          documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and  
 21          ambiguous, overly broad and unduly burdensome, and purports to call for information that is not  
 22          relevant to the claim or defense of any party, not relevant to the subject matter involved in this  
 23          action, and not reasonably calculated to lead to the discovery of admissible evidence.

24          Responding Party objects on the grounds that the "Relevant Time Period" is overly broad  
 25          and not relevant, rendering the request not reasonably calculated to lead to the discovery of  
 26          admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the  
 27          class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the  
 28          statute of limitations.

Responding Party objects to this request on the grounds that, to the extent it seeks documents not related to CRTs only, this request is overly broad and unduly burdensome and purports to call for information that is not relevant to the claim or defense of any party, not relevant to the subject matter involved in this action, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to the extent this request seeks documents that are no longer active or readily accessible in electronic form which renders this request overly broad and unduly burdensome.

Responding Party objects that the term “managerial authority” is vague and ambiguous, rendering this request overly broad and unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request to the extent this request is duplicative of Document Request No. 4 of Plaintiffs' First Set of Requests for Production of Documents.

Subject to and without waiving the general and specific objections stated above, Responding Party responds that it will make reasonable efforts to identify documents responsive to this request within the Limitations Period and, if any, will produce non-privileged, responsive documents.

**REQUEST NO. 3 [SIC] REQUEST NO. 8:**

Documents sufficient to describe Your policies or practices with respect to the retention or destruction of Documents during the period January 1, 1991 through the present, and, if such policy or practice has been different with respect to any category of Documents or over different times, Documents sufficient to identify each such category or time period and to describe Your retention policy or practice with respect to each such category or time period.

**RESPONSE TO REQUEST NO. 3 [SIC] REQUEST NO. 8:**

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

1           Responding Party objects to this request on the grounds it seeks information and/or  
 2 documents that would disclose confidential information protected by any and all rights of privacy  
 3 under the United States Constitution or any other applicable law, or that is otherwise prohibited  
 4 from disclosure because to do so would cause Responding Party to violate legal and/or  
 5 contractual obligations to any other persons or entities.

6           Responding Party objects to this request on the grounds that it seeks production of  
 7 documents protected by the attorney-client privilege, work product doctrine, joint defense or  
 8 common interest privilege, or by any other applicable doctrine or privilege.

9           Responding Party objects on the grounds that the "Relevant Time Period" is overly broad  
 10 and not relevant, rendering the request not reasonably calculated to lead to the discovery of  
 11 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the  
 12 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the  
 13 statute of limitations.

14           Responding Party objects to this request on the grounds that, to the extent it seeks  
 15 documents not related to CRTs only, this request is overly broad and unduly burdensome and  
 16 purports to call for information that is not relevant to the claim or defense of any party, not  
 17 relevant to the subject matter involved in this action, and not reasonably calculated to lead to the  
 18 discovery of admissible evidence

19           Responding Party objects to this request on the grounds that, to the extent it seeks  
 20 documents not related to the allegations in the Complaint, the request is overly broad and unduly  
 21 burdensome, and purports to call for information that is not relevant to the claim or defense of  
 22 any party, not relevant to the subject matter involved in this action, and not reasonably calculated  
 23 to lead to the discovery of admissible evidence.

24           Subject to and without waiving the objections stated above, Responding Party will  
 25 produce those non-privileged, responsive documents within the limitations period within its  
 26 possession, custody or control, to the extent any such documents exist.

27 **REQUEST NO. 4 [SIC] REQUEST NO. 9:**

28           Documents sufficient to show the manner in which You have maintained records relating

1 to CRT or CRT Products during the period January 1, 1991 through the present, including  
 2 Documents sufficient to describe all electronic data processing systems, programs and outputs  
 3 used to record, store, compute, analyze or retrieve electronically stored information relating to  
 4 Your pricing, production, distribution, marketing or sale of CRT or CRT Products in the United  
 5 States.

6 **RESPONSE TO REQUEST NO. 4 [SIC] REQUEST NO. 9:**

7 Responding Party reasserts and incorporates each of the General Objections and  
 8 Objections to Definitions and Instructions set forth above.

9 Responding Party objects to this request on the grounds that it is overly broad, unduly  
 10 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

11 Responding Party objects to this request on the grounds that it seeks production of  
 12 documents protected by the attorney-client privilege, work product doctrine, joint defense or  
 13 common interest privilege, or by any other applicable doctrine or privilege.

14 Responding Party objects to this request on the grounds it seeks information and/or  
 15 documents that would disclose confidential information protected by any and all rights of privacy  
 16 under the United States Constitution or any other applicable law, or that is otherwise prohibited  
 17 from disclosure because to do so would cause Responding Party to violate legal and/or  
 18 contractual obligations to any other persons or entities.

19 Responding Party objects to this request on the grounds that, to the extent it seeks  
 20 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and  
 21 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not  
 22 relevant to the claim or defense of any party, not relevant to the subject matter involved in this  
 23 action, and not reasonably calculated to lead to the discovery of admissible evidence.

24 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad  
 25 and not relevant, rendering the request not reasonably calculated to lead to the discovery of  
 26 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the  
 27 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the  
 28 statute of limitations.

1            Responding Party objects on the grounds that, to the extent this request seeks documents  
 2 not related to the allegations in the Complaint, this request is overly broad and unduly  
 3 burdensome, and purports to call for information that is not relevant to the claim or defense of  
 4 any party, not relevant to the subject matter involved in this action, and not reasonably calculated  
 5 to lead to the discovery of admissible evidence.

6            Responding Party objects that the phrase "manner in which You have maintained records"  
 7 is vague, ambiguous, and unintelligible, rendering the request overly broad and unduly  
 8 burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible  
 9 evidence.

10          Subject to and without waiving the objections stated above, Responding Party will  
 11 produce those non-privileged, responsive documents within the limitations period within its  
 12 possession, custody or control, to the extent any such documents exist.

13 **REQUEST NO. 5 [SIC] REQUEST NO. 10:**

14          All Documents and electronic data relating to Your sales of CRT or CRT Products during  
 15 the period January 1, 1991 through the present, including, but not limited to:

- 16            a) customer names, customer billing addresses, and customer ship-to addresses;
- 17            b) sales terms;
- 18            c) sales dates and shipment dates;
- 19            d) product type, class, category, description, and respective use;
- 20            e) sales volumes;
- 21            f) unit price information, gross price, and actual net prices;
- 22            g) discounts, credits, and rebates;
- 23            h) shipping charges and terms;
- 24            i) any other related charges; and
- 25            j) amounts paid, dates paid, invoice numbers, and purchase order numbers. If such  
 26 data are not kept, or have not been kept, in electronic form in the ordinary course  
 27 of Your business or are otherwise not available in electronic form, please produce  
 28 such data in hard copy.

1     **RESPONSE TO REQUEST NO. 5 [SIC] REQUEST NO. 10:**

2                 Responding Party reasserts and incorporates each of the General Objections and  
 3     Objections to Definitions and Instructions set forth above.

4                 Responding Party objects to this request on the grounds that it is overly broad, unduly  
 5     burdensome, and not reasonably calculated to lead to the discovery of admissible evidence  
 6     including to the extent that it seeks the discovery of documents regarding Responding Party's  
 7     sales outside of the United States and unrelated to United States commerce, as such sales are  
 8     beyond the scope of this litigation and thereby render the Document Requests overly broad,  
 9     unduly burdensome, and not reasonably calculated to lead to the discovery of admissible  
 10   evidence.

11                Responding Party objects to this request on the grounds that it seeks production of  
 12   documents protected by the attorney-client privilege, work product doctrine, joint defense or  
 13   common interest privilege, or by any other applicable doctrine or privilege.

14                Responding Party objects to this request on the grounds it seeks information and/or  
 15   documents that would disclose confidential information protected by any and all rights of privacy  
 16   under the United States Constitution or any other applicable law, or that is otherwise prohibited  
 17   from disclosure because to do so would cause Responding Party to violate legal and/or  
 18   contractual obligations to any other persons or entities.

19                Responding Party objects to this request on the grounds that, to the extent it seeks  
 20   documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and  
 21   ambiguous, overly broad and unduly burdensome, and purports to call for information that is not  
 22   relevant to the claim or defense of any party, not relevant to the subject matter involved in this  
 23   action, and not reasonably calculated to lead to the discovery of admissible evidence.

24                Responding Party objects on the grounds that the "Relevant Time Period" is overly broad  
 25   and not relevant, rendering the request not reasonably calculated to lead to the discovery of  
 26   admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the  
 27   class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the  
 28   statute of limitations.

1            Responding Party objects on the grounds that it seeks documents not in existence or not  
 2 currently in its possession, custody or control.

3            Responding Party objects to the extent this request seeks documents that are no longer  
 4 active or readily accessible in electronic form which renders this request overly broad and unduly  
 5 burdensome.

6            Responding Party objects that the terms "respective use" and "related charges" are vague,  
 7 ambiguous and unintelligible, rendering this request overly broad and unduly burdensome, not  
 8 relevant and not reasonably calculated to lead to the discovery of admissible evidence.

9            Responding Party objects to the extent this request is duplicative of Document Request  
 10 No. 5 of Plaintiffs' First Set of Requests for Production.

11           Subject to and without waiving the general and specific objections stated above,  
 12 Responding Party responds that it will make reasonable efforts to identify documents responsive  
 13 to this request within the Limitations Period and, if any, will produce non-privileged, responsive  
 14 documents.

15 **REQUEST NO. 6 [SIC] REQUEST NO. 11:**

16           All software instructions, programs, manuals, or other Documents necessary to operate,  
 17 run or understand any of the programs maintained on the computer-related equipment or system  
 18 utilized by You to maintain, gain access to or read data produced in response to Request Nos. 4-5,  
 19 including all record laYouts [sic], field codes or other descriptions.

20 **RESPONSE TO REQUEST NO. 6 [SIC] REQUEST NO. 11:**

21           Responding Party reasserts and incorporates each of the General Objections and  
 22 Objections to Definitions and Instructions set forth above.

23           Responding Party objects to this request on the grounds that it is overly broad, unduly  
 24 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence  
 25 including to the extent that it seeks the discovery of documents regarding Responding Party's  
 26 sales outside of the United States and unrelated to United States commerce, as such sales are  
 27 beyond the scope of this litigation and thereby render the Document Requests overly broad,  
 28 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible

1 evidence.

2 Responding Party objects to this request on the grounds that it seeks production of  
 3 documents protected by the attorney-client privilege, work product doctrine, joint defense or  
 4 common interest privilege, or by any other applicable doctrine or privilege.

5 Responding Party objects to this request on the grounds it seeks information and/or  
 6 documents that would disclose confidential information protected by any and all rights of privacy  
 7 under the United States Constitution or any other applicable law, including copyright and  
 8 licensing agreements, or that is otherwise prohibited from disclosure because to do so would  
 9 cause Responding Party to violate legal and/or contractual obligations to any other persons or  
 10 entities.

11 Responding Party objects to this request on the grounds that, to the extent it seeks  
 12 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and  
 13 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not  
 14 relevant to the claim or defense of any party, not relevant to the subject matter involved in this  
 15 action, and not reasonably calculated to lead to the discovery of admissible evidence.

16 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad  
 17 and not relevant, rendering the request not reasonably calculated to lead to the discovery of  
 18 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the  
 19 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the  
 20 statute of limitations.

21 Responding Party objects to the extent this request seeks documents that are no longer  
 22 active or readily accessible in electronic form which renders this request overly broad and unduly  
 23 burdensome.

24 Responding Party objects on the grounds that, to the extent this request seeks documents  
 25 not related to the allegations in the Complaint, this request is overly broad and unduly  
 26 burdensome, and purports to call for information that is not relevant to the claim or defense of  
 27 any party, not relevant to the subject matter involved in this action, and not reasonably calculated  
 28 to lead to the discovery of admissible evidence.

1            Responding Party objects on the grounds that it seeks documents not in existence or not  
2 currently in its possession, custody or control.

3            Responding Party objects that the apparent typographical error "all record laYouts"  
4 renders this request ambiguous and unintelligible.

5            Subject to and without waiving the general and specific objections stated above,  
6 Responding Party responds that it will make reasonable efforts to identify documents responsive  
7 to this request within the Limitations Period and, if any, will produce non-privileged, responsive  
8 documents.

9 **REQUEST NO. 7 [SIC] REQUEST NO. 12:**

10          All Documents relating to policies, methods, formulas or factors to be used in  
11 determining, computing or quoting prices, including any rebates or discounts, in connection with  
12 the sale of CRT or CRT Products.

13 **RESPONSE TO REQUEST NO. 7 [SIC] REQUEST NO. 12:**

14          Responding Party reasserts and incorporates each of the General Objections and  
15 Objections to Definitions and Instructions set forth above.

16          Responding Party objects to this request on the grounds that it is overly broad, unduly  
17 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence  
18 including to the extent that it seeks the discovery of documents regarding Responding Party's  
19 sales outside of the United States and unrelated to United States commerce, as such sales are  
20 beyond the scope of this litigation and thereby render the Document Requests overly broad,  
21 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible  
22 evidence.

23          Responding Party objects to this request on the grounds that it seeks production of  
24 documents protected by the attorney-client privilege, work product doctrine, joint defense or  
25 common interest privilege, or by any other applicable doctrine or privilege.

26          Responding Party objects to this request on the grounds it seeks information and/or  
27 documents that would disclose confidential information protected by any and all rights of privacy  
28 under the United States Constitution or any other applicable law, or that is otherwise prohibited

1 from disclosure because to do so would cause Responding Party to violate legal and/or  
 2 contractual obligations to any other persons or entities.

3       Responding Party objects to this request on the grounds that, to the extent it seeks  
 4 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and  
 5 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not  
 6 relevant to the claim or defense of any party, not relevant to the subject matter involved in this  
 7 action, and not reasonably calculated to lead to the discovery of admissible evidence.

8       Responding Party objects on the grounds that the “Relevant Time Period” is overly broad  
 9 and not relevant, rendering the request not reasonably calculated to lead to the discovery of  
 10 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the  
 11 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the  
 12 statute of limitations.

13      Responding Party objects to the extent this request seeks documents that are no longer  
 14 active or readily accessible in electronic form which renders this request overly broad and unduly  
 15 burdensome.

16      Responding Party objects to the extent this request seeks documents or information that is  
 17 not within the possession, custody, or control of Responding Party.

18      Responding Party objects that the phrases “methods, formulas or factors” and  
 19 “determining, computing or quoting prices” are vague, ambiguous and unintelligible, rendering  
 20 the request overly broad and unduly burdensome, not relevant and not reasonably calculated to  
 21 lead to the discovery of admissible evidence.

22      Responding Party objects to this request to the extent it seeks documents or information  
 23 that will be the subject of expert discovery, as expert discovery has not commenced in this matter.

24      Subject to and without waiving the general and specific objections stated above,  
 25 Responding Party responds that it will make reasonable efforts to identify documents responsive  
 26 to this request within the Limitations Period and, if any, will produce non-privileged, responsive  
 27 documents.

1      **REQUEST NO. 8 [SIC] REQUEST NO. 13:**

2      All Documents relating to any published prices for CRT or CRT Products during the  
 3      period January 1, 1991 through the present, including price announcements, price lists, price  
 4      schedules, or price changes communicated to customers in the United States.

5      **RESPONSE TO REQUEST NO. 8 [SIC] REQUEST NO. 13:**

6      Responding Party reasserts and incorporates each of the General Objections and  
 7      Objections to Definitions and Instructions set forth above.

8      Responding Party objects to this request on the grounds that it is overly broad, unduly  
 9      burdensome, and not reasonably calculated to lead to the discovery of admissible evidence  
 10     including to the extent that it seeks the discovery of documents regarding Responding Party's  
 11     sales outside of the United States and unrelated to United States commerce, as such sales are  
 12     beyond the scope of this litigation and thereby render the Document Requests overly broad,  
 13     unduly burdensome, and not reasonably calculated to lead to the discovery of admissible  
 14     evidence.

15     Responding Party objects to this request on the grounds that it seeks production of  
 16     documents protected by the attorney-client privilege, work product doctrine, joint defense or  
 17     common interest privilege, or by any other applicable doctrine or privilege.

18     Responding Party objects to this request on the grounds it seeks information and/or  
 19     documents that would disclose confidential information protected by any and all rights of privacy  
 20     under the United States Constitution or any other applicable law, or that is otherwise prohibited  
 21     from disclosure because to do so would cause Responding Party to violate legal and/or  
 22     contractual obligations to any other persons or entities.

23     Responding Party objects to this request on the grounds that, to the extent it seeks  
 24     documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and  
 25     ambiguous, overly broad and unduly burdensome, and purports to call for information that is not  
 26     relevant to the claim or defense of any party, not relevant to the subject matter involved in this  
 27     action, and not reasonably calculated to lead to the discovery of admissible evidence.

28     Responding Party objects on the grounds that the "Relevant Time Period" is overly broad

1 and not relevant, rendering the request not reasonably calculated to lead to the discovery of  
 2 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the  
 3 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the  
 4 statute of limitations.

5 Responding Party objects to the extent this request seeks documents that are no longer  
 6 active or readily accessible in electronic form which renders this request overly broad and unduly  
 7 burdensome.

8 Responding Party objects to the extent this request seeks documents or information that is  
 9 not within the possession, custody, or control of Responding Party.

10 Responding Party objects that the terms "published prices" and "customers" are vague,  
 11 ambiguous, and unintelligible, rendering the request overly broad and unduly burdensome, not  
 12 relevant and not reasonably calculated to lead to the discovery of admissible evidence.

13 Responding Party objects that the term "customers in the United States" calls for a legal  
 14 conclusion.

15 Responding Party objects to the extent this request seeks documents or information that  
 16 require discovery of information and materials from third parties or sources that are equally if not  
 17 more accessible to Plaintiffs.

18 Responding Party objects to the extent this request seeks documents or information that  
 19 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

20 Subject to and without waiving the general and specific objections stated above,  
 21 Responding Party responds that it will make reasonable efforts to identify documents responsive  
 22 to this request within the Limitations Period and, if any, will produce non-privileged, responsive  
 23 documents.

24 **REQUEST NO. 9 [SIC] REQUEST NO. 14:**

25 All Documents relating to contracts, offers or proposals for CRT or CRT Products sales  
 26 during the period January 1, 1991 through the present.

27 **RESPONSE TO REQUEST NO. 9 [SIC] REQUEST NO. 14:**

28 Responding Party reasserts and incorporates each of the General Objections and

1 Objections to Definitions and Instructions set forth above.

2 Responding Party objects to this request on the grounds that it is overly broad, unduly  
 3 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence  
 4 including to the extent that it seeks the discovery of documents regarding Responding Party's  
 5 sales outside of the United States and unrelated to United States commerce, as such sales are  
 6 beyond the scope of this litigation and thereby render the Document Requests overly broad,  
 7 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible  
 8 evidence.

9 Responding Party objects to this request on the grounds that it seeks production of  
 10 documents protected by the attorney-client privilege, work product doctrine, joint defense or  
 11 common interest privilege, or by any other applicable doctrine or privilege.

12 Responding Party objects to this request on the grounds it seeks information and/or  
 13 documents that would disclose confidential information protected by any and all rights of privacy  
 14 under the United States Constitution or any other applicable law, or that is otherwise prohibited  
 15 from disclosure because to do so would cause Responding Party to violate legal and/or  
 16 contractual obligations to any other persons or entities.

17 Responding Party objects to this request on the grounds that, to the extent it seeks  
 18 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and  
 19 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not  
 20 relevant to the claim or defense of any party, not relevant to the subject matter involved in this  
 21 action, and not reasonably calculated to lead to the discovery of admissible evidence.

22 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad  
 23 and not relevant, rendering the request not reasonably calculated to lead to the discovery of  
 24 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the  
 25 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the  
 26 statute of limitations.

27 Responding Party objects to the extent this request seeks documents that are no longer  
 28 active or readily accessible in electronic form which renders this request overly broad and unduly

1 burdensome.

2 Responding Party objects to the extent this request seeks documents or information that is  
 3 not within the possession, custody, or control of Responding Party.

4 Responding Party objects that the phrase "contracts, offers or proposals" is vague,  
 5 ambiguous and unintelligible, rendering this request overly broad and unduly burdensome, not  
 6 relevant and not reasonably calculated to lead to the discovery of admissible evidence.

7 Responding Party objects to the extent this request seeks documents or information that  
 8 require discovery of information and materials from third parties or sources that are equally if not  
 9 more accessible to Plaintiffs.

10 Responding Party objects to the extent this request seeks documents or information that  
 11 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

12 Subject to and without waiving the general and specific objections stated above,  
 13 Responding Party responds that it will make reasonable efforts to identify documents responsive  
 14 to this request within the Limitations Period and, if any, will produce non-privileged, responsive  
 15 documents.

16 **REQUEST NO. 10 [SIC] REQUEST NO. 15:**

17 Documents sufficient to identify each of Your facilities that produced CRT or CRT  
 18 Products from January 1, 1991 through the present, and for each such facility, all Documents  
 19 relating to:

- 20     a) capacity, rated capacity, production and capacity utilization during each year of the  
        Relevant Time Period;
- 22     b) any proposed or actual change in the capacity to produce CRT or CRT Products;
- 23     c) any reason for changes in each facility's actual production of CRT or CRT  
        Products;
- 25     d) the identity of all persons who had decision-making or supervisory responsibility  
        regarding CRT or CRT Products production;
- 27     e) each type, class, category and respective use of CRT or CRT Products produced  
        and the amounts of each produced during each month of the relevant period;

- 1                   f) any production shutdowns or slowdowns of CRT or CRT Products production and  
 2                   reasons for such shutdowns or slowdowns; and  
 3                   g) any projected production forecasts;  
 4                   h) any future plans to construct, joint venture or purchase fabrication plants used to  
 5                   manufacture or produce CRT or CRT Products.

6 **RESPONSE TO REQUEST NO. 10 [SIC] REQUEST NO. 15:**

7                   Responding Party reasserts and incorporates each of the General Objections and  
 8                   Objections to Definitions and Instructions set forth above.

9                   Responding Party objects to this request on the grounds that it is overly broad, unduly  
 10                  burdensome, and not reasonably calculated to lead to the discovery of admissible evidence  
 11                  including to the extent that it seeks the discovery of documents regarding Responding Party's  
 12                  sales outside of the United States and unrelated to United States commerce, as such sales are  
 13                  beyond the scope of this litigation and thereby render the Document Requests overly broad,  
 14                  unduly burdensome, and not reasonably calculated to lead to the discovery of admissible  
 15                  evidence.

16                  Responding Party objects to this request on the grounds that it seeks production of  
 17                  documents protected by the attorney-client privilege, work product doctrine, joint defense or  
 18                  common interest privilege, or by any other applicable doctrine or privilege.

19                  Responding Party objects to this request on the grounds it seeks information and/or  
 20                  documents that would disclose confidential information protected by any and all rights of privacy  
 21                  under the United States Constitution or any other applicable law, or that is otherwise prohibited  
 22                  from disclosure because to do so would cause Responding Party to violate legal and/or  
 23                  contractual obligations to any other persons or entities.

24                  Responding Party objects to this request on the grounds that, to the extent it seeks  
 25                  documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and  
 26                  ambiguous, overly broad and unduly burdensome, and purports to call for information that is not  
 27                  relevant to the claim or defense of any party, not relevant to the subject matter involved in this  
 28                  action, and not reasonably calculated to lead to the discovery of admissible evidence.

1            Responding Party objects on the grounds that the “Relevant Time Period” is overly broad  
 2 and not relevant, rendering the request not reasonably calculated to lead to the discovery of  
 3 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the  
 4 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the  
 5 statute of limitations.

6            Responding Party objects to the extent this request seeks documents that are no longer  
 7 active or readily accessible in electronic form which renders this request overly broad and unduly  
 8 burdensome.

9            Responding Party objects to the extent this request seeks documents or information that is  
 10 not within the possession, custody, or control of Responding Party.

11          Responding Party objects that the definition of the term “Your” is vague, ambiguous, and  
 12 unintelligible, rendering the request overly broad and unduly burdensome, not relevant, and not  
 13 reasonably calculated to lead to the discovery of admissible evidence.

14          Responding Party objects that the terms “capacity,” “decision-making or supervisory  
 15 responsibility,” and “respective use” are vague, ambiguous and unintelligible, rendering the  
 16 request overly broad and unduly burdensome, not relevant and not reasonably calculated to lead  
 17 to the discovery of admissible evidence.

18          Responding Party objects to the extent this request is duplicative of Request No. 4 of  
 19 Plaintiffs’ First Set of Requests for Production.

20          Subject to and without waiving the general and specific objections stated above,  
 21 Responding Party responds that it will make reasonable efforts to identify documents responsive  
 22 to this request within the Limitations Period and, if any, will produce non-privileged, responsive  
 23 documents.

24 **REQUEST NO. 11 [SIC] REQUEST NO. 16:**

25          Documents sufficient to describe the processes for producing CRT or CRT Products,  
 26 including but not limited to, any industry standards.

27 **RESPONSE TO REQUEST NO. 11 [SIC] REQUEST NO. 16:**

28          Responding Party reasserts and incorporates each of the General Objections and

1 Objections to Definitions and Instructions set forth above.

2 Responding Party objects to this request on the grounds that it is overly broad, unduly  
 3 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence  
 4 including to the extent that it seeks the discovery of documents regarding Responding Party's  
 5 sales outside of the United States and unrelated to United States commerce, as such sales are  
 6 beyond the scope of this litigation and thereby render the Document Requests overly broad,  
 7 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible  
 8 evidence.

9 Responding Party objects to this request on the grounds that it seeks production of  
 10 documents protected by the attorney-client privilege, work product doctrine, joint defense or  
 11 common interest privilege, or by any other applicable doctrine or privilege.

12 Responding Party objects to this request on the grounds it seeks information and/or  
 13 documents that would disclose confidential information protected by any and all rights of privacy  
 14 under the United States Constitution or any other applicable law, or that is otherwise prohibited  
 15 from disclosure because to do so would cause Responding Party to violate legal and/or  
 16 contractual obligations to any other persons or entities.

17 Responding Party objects to this request on the grounds that, to the extent it seeks  
 18 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and  
 19 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not  
 20 relevant to the claim or defense of any party, not relevant to the subject matter involved in this  
 21 action, and not reasonably calculated to lead to the discovery of admissible evidence.

22 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad  
 23 and not relevant, rendering the request not reasonably calculated to lead to the discovery of  
 24 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the  
 25 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the  
 26 statute of limitations.

27 Responding Party objects to the extent this request seeks documents that are no longer  
 28 active or readily accessible in electronic form which renders this request overly broad and unduly

1 burdensome.

2 Responding Party objects to the extent this request seeks documents or information that is  
3 not within the possession, custody, or control of Responding Party.

4 Responding Party objects that the terms "processes for producing" and "industry  
5 standards" are vague, ambiguous, and unintelligible, rendering the request overly broad and  
6 unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of  
7 admissible evidence.

8 Responding Party objects to the extent this request seeks documents or information that  
9 require discovery of information and materials from third parties or sources that are equally if not  
10 more accessible to Plaintiffs.

11 Responding Party objects to the extent this request seeks documents or information that  
12 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

13 Subject to and without waiving the general and specific objections stated above,  
14 Responding Party responds that it will make reasonable efforts to identify documents responsive  
15 to this request within the Limitations Period and, if any, will produce non-privileged, responsive  
16 documents.

17 **REQUEST NO. 12 [SIC] REQUEST NO. 17:**

18 All Documents relating to the cost of manufacturing, marketing, selling, and distributing  
19 CRT or CRT Products during the period January 1, 1991 through the present.

20 **RESPONSE TO REQUEST NO. 12 [SIC] REQUEST NO. 17:**

21 Responding Party reasserts and incorporates each of the General Objections and  
22 Objections to Definitions and Instructions set forth above.

23 Responding Party objects to this request on the grounds that it is overly broad, unduly  
24 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence  
25 including to the extent that it seeks the discovery of documents regarding Responding Party's  
26 sales outside of the United States and unrelated to United States commerce, as such sales are  
27 beyond the scope of this litigation and thereby render the Document Requests overly broad,  
28 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible

1 evidence.

2 Responding Party objects to this request on the grounds that it seeks production of  
 3 documents protected by the attorney-client privilege, work product doctrine, joint defense or  
 4 common interest privilege, or by any other applicable doctrine or privilege.

5 Responding Party objects to this request on the grounds it seeks information and/or  
 6 documents that would disclose confidential information protected by any and all rights of privacy  
 7 under the United States Constitution or any other applicable law, or that is otherwise prohibited  
 8 from disclosure because to do so would cause Responding Party to violate legal and/or  
 9 contractual obligations to any other persons or entities.

10 Responding Party objects to this request on the grounds that, to the extent it seeks  
 11 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and  
 12 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not  
 13 relevant to the claim or defense of any party, not relevant to the subject matter involved in this  
 14 action, and not reasonably calculated to lead to the discovery of admissible evidence.

15 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad  
 16 and not relevant, rendering the request not reasonably calculated to lead to the discovery of  
 17 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the  
 18 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the  
 19 statute of limitations.

20 Responding Party objects to the extent this request seeks documents that are no longer  
 21 active or readily accessible in electronic form which renders this request overly broad and unduly  
 22 burdensome.

23 Responding Party objects to the extent this request seeks documents or information that is  
 24 not within the possession, custody, or control of Responding Party.

25 Responding Party objects to the extent this request seeks documents or information that  
 26 require discovery of information and materials from third parties or sources that are equally if not  
 27 more accessible to Plaintiffs.

28 Responding Party objects to the extent this request seeks documents or information that

1 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

2 Subject to and without waiving the general and specific objections stated above,  
3 Responding Party responds that it will make reasonable efforts to identify documents responsive  
4 to this request within the Limitations Period and, if any, will produce non-privileged, responsive  
5 documents.

6 **REQUEST NO. 13 [SIC] REQUEST NO. 18:**

7 Documents sufficient to show Your inventory levels of CRT or CRT Products for each  
8 month, quarter, calendar year or fiscal year from January 1, 1991 through the present.

9 **RESPONSE TO REQUEST NO. 13 [SIC] REQUEST NO. 18:**

10 Responding Party reasserts and incorporates each of the General Objections and  
11 Objections to Definitions and Instructions set forth above.

12 Responding Party objects to this request on the grounds that it is overly broad, unduly  
13 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence  
14 including to the extent that it seeks the discovery of documents regarding Responding Party's  
15 sales outside of the United States and unrelated to United States commerce, as such sales are  
16 beyond the scope of this litigation and thereby render the Document Requests overly broad,  
17 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible  
18 evidence.

19 Responding Party objects to this request on the grounds that it seeks production of  
20 documents protected by the attorney-client privilege, work product doctrine, joint defense or  
21 common interest privilege, or by any other applicable doctrine or privilege.

22 Responding Party objects to this request on the grounds it seeks information and/or  
23 documents that would disclose confidential information protected by any and all rights of privacy  
24 under the United States Constitution or any other applicable law, or that is otherwise prohibited  
25 from disclosure because to do so would cause Responding Party to violate legal and/or  
26 contractual obligations to any other persons or entities.

27 Responding Party objects to this request on the grounds that, to the extent it seeks  
28 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and

1 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not  
 2 relevant to the claim or defense of any party, not relevant to the subject matter involved in this  
 3 action, and not reasonably calculated to lead to the discovery of admissible evidence.

4 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad  
 5 and not relevant, rendering the request not reasonably calculated to lead to the discovery of  
 6 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the  
 7 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the  
 8 statute of limitations.

9 Responding Party objects to the extent this request seeks documents that are no longer  
 10 active or readily accessible in electronic form which renders this request overly broad and unduly  
 11 burdensome.

12 Responding Party objects that the definition of the term “Your” is vague, ambiguous, and  
 13 unintelligible, rendering the request overly broad and unduly burdensome, not relevant, and not  
 14 reasonably calculated to lead to the discovery of admissible evidence.

15 Responding Party objects that the term “inventory levels” is vague, ambiguous, and  
 16 unintelligible, rendering the request overly broad and unduly burdensome, not relevant, and not  
 17 reasonably calculated to lead to the discovery of admissible evidence.

18 Subject to and without waiving the general and specific objections stated above,  
 19 Responding Party responds that it will make reasonable efforts to identify documents responsive  
 20 to this request within the Limitations Period and, if any, will produce non-privileged, responsive  
 21 documents.

22 **REQUEST NO. 14 [SIC] REQUEST NO. 19:**

23 Documents sufficient to identify and quantify all swaps, trades, sales, purchases or  
 24 transfers of CRT or CRT Products between You and any of Your affiliates, or between You and  
 25 any other producer of CRT or CRT Products, and the price or any other consideration involved in  
 26 every such sale, swap, trade, purchase or transfer.

27 **RESPONSE TO REQUEST NO. 14 [SIC] REQUEST NO. 19:**

28 Responding Party reasserts and incorporates each of the General Objections and

1 Objections to Definitions and Instructions set forth above.

2 Responding Party objects to this request on the grounds that it is overly broad, unduly  
 3 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence  
 4 including to the extent that it seeks the discovery of documents regarding Responding Party's  
 5 sales outside of the United States and unrelated to United States commerce, as such sales are  
 6 beyond the scope of this litigation and thereby render the Document Requests overly broad,  
 7 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible  
 8 evidence.

9 Responding Party objects to this request on the grounds that it seeks production of  
 10 documents protected by the attorney-client privilege, work product doctrine, joint defense or  
 11 common interest privilege, or by any other applicable doctrine or privilege.

12 Responding Party objects to this request on the grounds it seeks information and/or  
 13 documents that would disclose confidential information, third-party confidential information  
 14 and/or proprietary business information protected by any and all rights of privacy under the  
 15 United States Constitution or any other applicable law, or that is otherwise prohibited from  
 16 disclosure because to do so would cause Responding Party to violate legal and/or contractual  
 17 obligations to any other persons or entities.

18 Responding Party objects to this request on the grounds that, to the extent it seeks  
 19 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and  
 20 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not  
 21 relevant to the claim or defense of any party, not relevant to the subject matter involved in this  
 22 action, and not reasonably calculated to lead to the discovery of admissible evidence.

23 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad  
 24 and not relevant, rendering the request not reasonably calculated to lead to the discovery of  
 25 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the  
 26 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the  
 27 statute of limitations.

28 Responding Party objects to the extent this request seeks documents that are no longer

1 active or readily accessible in electronic form which renders this request overly broad and unduly  
 2 burdensome.

3 Responding Party objects that the definition of the terms "You" and "Your" are vague,  
 4 ambiguous, and unintelligible, rendering the request overly broad and unduly burdensome, not  
 5 relevant, and not reasonably calculated to lead to the discovery of admissible evidence.

6 Responding Party objects that the terms "affiliates," "swaps," "trades," and "transfers" are  
 7 vague, ambiguous, and unintelligible, rendering the request overly broad and unduly burdensome,  
 8 not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

9 Responding Party objects to this request on the grounds that, to the extent it seeks  
 10 documents related to "purchases," it seeks documents and information not related to the  
 11 allegations in the Complaint, the request is overly broad and unduly burdensome, and purports to  
 12 call for information that is not relevant to the claim or defense of any party, not relevant to the  
 13 subject matter involved in this action, and not reasonably calculated to lead to the discovery of  
 14 admissible evidence.

15 Subject to and without waiving the general and specific objections stated above,  
 16 Responding Party responds that it will make reasonable efforts to identify documents responsive  
 17 to this request within the Limitations Period and, if any, will produce non-privileged, responsive  
 18 documents.

19 **REQUEST NO. 15 [SIC] REQUEST NO. 20:**

20 All Documents relating to any relationship between prices for CRT or CRT Products and  
 21 any costs of producing, marketing, selling, or distributing CRT or CRT Products during the  
 22 period January 1, 1991 through the present.

23 **RESPONSE TO REQUEST NO. 15 [SIC] REQUEST NO. 20:**

24 Responding Party reasserts and incorporates each of the General Objections and  
 25 Objections to Definitions and Instructions set forth above.

26 Responding Party objects to this request on the grounds that it is overly broad, unduly  
 27 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence  
 28 including to the extent that it seeks the discovery of documents regarding Responding Party's